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CONGRESS, } SENATE. { DOCUMENT
Session. } { No. 248.

A NEW AGREEMENT WITH PANAMA.

COMMUNICATION

FROM

THE PRESIDENT OF THE UNITED STATES,

TRANSMITTING

A COPY OF A LETTER FROM THE ACTING SECRETARY OF STATE RECOMMENDING THE AUTHORIZATION OF CONGRESS TO THE ABROGATION OF THE SO-CALLED TAFT AGREEMENT AND THE NEGOTIATION OF A NEW AGREEMENT WITH PANAMA.

SEPTEMBER 5, 1922.—Read; referred to the Committee on Foreign Relations and ordered to be printed.

22-26811

THE WHITE HOUSE,
Washington, September 2, 1922.

MY DEAR MR. PRESIDENT: I am sending to you herewith copy of a letter addressed to me by the Acting Secretary of State setting forth the desirability of terminating the present treaty arrangement with Panama and the negotiation of a new treaty with that Government. This is a matter which has been under consideration by the State Department for some time and the recommendation of the Acting Secretary has been forecasted by developing events for several months. It is altogether desirable that the temporary agreement which has governed our relations with the Government of Panama be superseded by a new covenant. As soon as the Congress grants the authority to abrogate the existing agreement it will be possible to proceed with the negotiation which is desired on the part of both the Government of the United States and the Government of Panama. I am addressing a like communication with similar inclosure to the Speaker of the House.

Very truly yours,

WARREN G. HARDING.

HON. CALVIN COOLIDGE,
President of the United States Senate,
Washington, D. C.

DEPARTMENT OF STATE,
Washington, September 1, 1922.

THE PRESIDENT:

In 1904 Mr. Taft, then Secretary of War, visited Panama in an effort to adjust certain difficulties which had arisen in connection

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with the execution of the treaty of 1903 with that country. After discussion with the officials of the Panaman Government a temporary agreement was formulated to serve as a modus operandi during the period of the construction of the canal. This agreement was embodied in executive orders issued by the Secretary of War on December 3, December 6, and December 30, 1904, January 10, 1905, and January 5, 1911. By the Panama Canal act of August 24, 1912 (37 Stat. 560), these orders, together with all other orders and regulations promulgated in the Canal Zone by order of the President for the government and sanitation of the Canal Zone and construction of the Panama Canal, were ratified and confirmed as valid and binding until Congress should otherwise provide.

The Taft agreement was intended as a temporary arrangement to cover the period of construction of the canal. As such it has served its purpose, since the canal has for some time been formally open to commerce. It no longer provides an adequate basis for the adjustment of questions arising out of the relations between the Canal Zone authorities and the Government of Panama, and it is the opinion of this department, and, I am informed, of the War Department also, that the agreement should be replaced in the near future by a more permanent arrangement.

I have the honor, therefore, to recommend that Congress be requested to authorize the abrogation of the executive orders above mentioned, which comprise the so-called Taft agreement. When this authorization is granted it will be possible to terminate the agreement with Panama and to proceed at once with the negotiation of a new treaty.

Respectfully submitted.

WILLIAM PHILLIPS,
Acting Secretary of State.

THE PRESIDENT,
The White House.

To the Senate and House of Representatives:

I transmit a report by the Acting Secretary of State in which he recommends that the Congress be requested to authorize the abrogation of the executive orders comprising the so-called Taft agreement with Panama. These executive orders, by the Panama Canal act of August 24, 1912, were confirmed as valid and binding until Congress should otherwise provide. Consequently it would appear that an act of Congress is required to abrogate them.

I commend the request to the favorable consideration of the Congress, since I am convinced that the abrogation of the so-called Taft agreement and the negotiation with Panama of a new agreement in its place are advisable; but as it may be found desirable to continue these executive orders in effect temporarily pending the conclusion of the new agreement, I suggest that the authority if granted by Congress shall leave the time for their abrogation optional with the President.

THE WHITE HOUSE,
——— ——, *1922.*

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